

Response

Attorney Docket: EMB1007USC2

Applicants: David R. Knighton et al.

Serial No.: 10/780,370

**REMARKS**

Claims 1, 7 and 12 to 17 are pending.

**Terminal Disclaimer**

The Examiner provisionally rejected claims 1, 7 and 12 to 17 under the judicially created doctrine of nonstatutory double patenting as being unpatentable over claims 1 and 9 of Application No. 10/391,148. Applicants note that Application No. 10/391,148 has issued and is now U.S. Patent No. 6,705,986 B2. Applicants have enclosed herewith a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c) to obviate a rejection under the judicially created doctrine of obviousness-type double patenting with respect to claims 1, 7 and 12 to 17 as being unpatentable over claims 1 and 3 (which corresponds to claim 9 of Application No. 10/391,148) of U.S. Patent No. 6,705,986 B2 to Fiegel et al.

Applicants also submit a Terminal Disclaimer in compliance with 37 § C.F.R. 1.321(c) to obviate a potential rejection under the judicially created doctrine of obviousness-type double patenting with respect to claims 1, 7 and 12 to 17 as being unpatentable over the claims of U.S. Patent No. 6,558,313 B1 to Fiegel et al.

**Conclusion**

In view of Applicants' remarks, the claims are believed to be in condition for allowance. Reconsideration, withdrawal of the rejections, and passage of the case to issue are respectfully requested.

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If any additional fees are due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 16-2312. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

Date: 6/14/06By 

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